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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/788,886 | 02/27/2004 | Andreas Reinemann | 34088/US |

CONFIRMATION NO. 4573

FORMALITIES LETTER



OC000000012721161

David E. Bruhn
 DORSEY & WHITNEY LLP
 Intellectual Property Department
 50 South Sixth Street, Suite 1500
 Minneapolis, MN 55402-1498

Date Mailed: 05/20/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/14/2004 HALI11 00000097 10788886

FILED UNDER 37 CFR 1.53(b)

| | |
|------------|-----------|
| 01 FC:1001 | 770.00 OP |
| 02 FC:1051 | 130.00 OP |
| 03 FC:1202 | 36.00 OP |

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$36 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

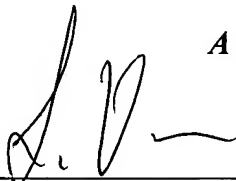
Total additional fee(s) required for this application is **\$936** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$36**

- **\$36** for **2** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450



*A copy of this notice **MUST** be returned with the reply.*

~~Customer Service Center~~

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket: 34088/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------|--------------------------------|----------------------|
| First Named Inventor: | Andreas Reinmann | |
| Appln. No.: | 10/788,886 | |
| Filing Date: | February 27, 2004 | Examiner: Unknown |
| Title: | Implant with Surface Structure | Group Art Unit: 3738 |

**FILING OF MISSING PARTS
OF APPLICATION UNDER 37 CFR § 1.53(F)**

Mail Stop **MISSING PARTS**
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to: Mail Stop **Missing Parts**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9 day of September, 2004.

Francis Erue
(Signature)

Dear Sir:

In response to the Notice To File Missing Parts of Application-Filing Date Granted, date mailed May 20, 2004, pursuant to 37 CFR § 1.53(f), the following documents are enclosed:

1. Required copy of the Notice to File Missing Parts of Application
2. Signed Declaration;
3. Power of Attorney;
4. Submission under 37 C.F.R. 3.73(b);
5. Copy of Assignment
6. Petition for Extension of Time;
7. Fee Transmittal;
8. Checks for \$936.00 and \$420; and

9. a Return Receipt Postcard.

Date: September 9, 2004

Respectfully submitted,

DORSEY & WHITNEY LLP

Customer Number 25763

By: David E. Bruhn

David E. Bruhn, Reg. No. 36,762
Intellectual Property Department
Suite 1500
50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-6317

APPLICATION FEE TRANSMITTAL SHEET (FY 2004)

Complete if Known

| | |
|----------------------|-------------------|
| Application No. | 10/788,886 |
| Filing Date | February 27, 2004 |
| First Named Inventor | Andreas Reinmann |
| Group Art Unit | 3738 |
| Examiner Name | Unknown |
| Atty. Docket Number | 34088/US |

METHOD OF PAYMENT (Check One)

1. ☒ The Director is hereby authorized to charge indicated fees and credit any over payments to:
Deposit Account No.: 04-1420
Deposit Account Name: DORSEY & WHITNEY LLP

☒ Charge any additional fee required under 37 C.F.R. 1.16 and 1.17
☐ Applicant claims small entity status (see 37 C.F.R. 1.27)

2. ☒ Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee | Small Entity Fee | Fee Description | |
|---------------------|------------------|--|-----------------|
| 160 | 80 | <input type="checkbox"/> Provisional Filing Fee | |
| 770 | 385 | <input checked="" type="checkbox"/> Utility Filing Fee | \$770.00 |
| 340 | 170 | <input type="checkbox"/> Design Filing Fee | |
| 770 | 385 | <input type="checkbox"/> Reissue Filing Fee | |
| Subtotal (1) | | | \$770.00 |

2. EXTRA* CLAIM FEES

| | Number Claims | Prior | Extra | Fee from Below* | Fee Paid |
|---------------------------|---------------|-------|-------|-----------------|----------------|
| Total | 22 | - 20 | = 2 | x \$18.00 | = \$36.00 |
| Indep. | 3 | - 3 | = 0 | x \$86.00 | = \$ 0.00 |
| Multiple Dependent Claims | | | = | x | = |
| Subtotal (2) | | | | | \$36.00 |

*Calculation of Extra Claim Fees

| Large Entity Fee | Small Entity Fee | Fee Description |
|------------------|------------------|---|
| 18 | 9 | Claims in excess of 20 |
| 86 | 43 | Independent claims in excess of 3 |
| 290 | 145 | Multiple dependent Claim |
| 86 | 43 | Reissue independent claims over original patent |
| 18 | 9 | Reissue claims in excess of 20 and over original patent |

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

| Large Entity Fee | Small Entity Fee | Fee Description | Fee paid |
|------------------|------------------|--|----------|
| 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 130 | 65 | Surcharge - Late nonprovisional filing fee or oath | \$130.00 |
| 180 | 180 | Submission of IDS | |
| 40 | 40 | Recording each patent assignment per property (times number of properties) | |
| 110 | 55 | Extension for reply within first month | |
| 420 | 210 | Extension for reply within second month | \$210.00 |
| 950 | 475 | Extension for reply within third month | |
| 1,480 | 740 | Extension for reply within fourth month | |
| 2,010 | 1,005 | Extension for reply within fifth month | |
| 770 | 385 | Submission After Final 1.129 | |
| 330 | 165 | Notice of Appeal | |
| 330 | 165 | Filing a brief in support of an appeal | |
| 290 | 145 | Request for oral hearing | |
| 110 | 55 | Terminal Disclaimer Fee | |
| 130 | 130 | Petitions to the Commissioner | |
| 50 | 50 | Petitions related to provisional applications | |
| 1,330 | 665 | Utility/Reissue Issue Fee (including advance copies) | |
| 480 | 240 | Design Issue Fee (inc. advance copies) | |
| 770 | 385 | Request for Continued Examination (RCE) | |
| 300 | 300 | Publication fee for early, voluntary, or normal publication | |
| 300 | 300 | Publication fee for re-publication | |
| 110 | 55 | Petition to Revive - unavoidable | |
| 1,330 | 665 | Petition to Revive - unintentional | |

OTHER FEE (specify)

Subtotal (3) \$340.00

Total Amount of Payment: \$1146.00

Submitted by:

CUSTOMER NUMBER
25763

DORSEY & WHITNEY LLP

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Signature:

Reg. No.: 36,762

Date: September 9, 2004